

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of

Unlicensed Operation in the TV Broadcast  
Bands

ET Docket No. 04-186

Additional Spectrum for Unlicensed  
Devices Below 900 MHz and in the 3 GHz  
Band

ET Docket No. 02-380

**REPLY COMMENTS OF THE  
LAND MOBILE COMMUNICATIONS ASSOCIATION**

The Land Mobile Communications Council (LMCC), pursuant to Section 1.415 of the Commission's Rules, 47 C.F.R. § 1.1415, hereby respectfully submits its Reply Comments in the above-captioned proceeding.

**I. INTRODUCTION**

LMCC is a non-profit association of organizations representing virtually all users of land mobile radio systems, providers of land mobile services, and manufacturers of land mobile radio equipment. LMCC acts with the consensus, and on behalf, of the vast majority of public safety, business, industrial, private, commercial and land transportation radio users, as well as a diversity of land mobile service providers and equipment manufacturers. Membership includes the following organizations:

- Aeronautical Radio, Inc. (ARINC)
- American Association of State Highway and Transportation Officials (AASHTO)
- American Automobile Association (AAA)
- American Mobile Telecommunications Association, Inc. (AMTA)
- American Petroleum Institute (API)

- Association of American Railroads (AAR)
- Association of Public Safety Communications Officials-International, Inc. (APCO)
- Central Station Alarm Association (CSAA)
- Forest Industries Telecommunications (FIT)
- Forestry-Conservation Communications Association (FCCA)
- Industrial Telecommunications Association, Inc. (ITA)
- Intelligent Transportation Society of America, Inc. (ITSA)
- International Association of Fire Chiefs (IAFC)
- International Association of Fish and Wildlife Agencies (IAFWA)
- International Municipal Signal Association (IMSA)
- Manufacturers Radio Frequency Advisory Committee (MRFAC)
- National Association of State Foresters (NASF)
- PCIA – The Wireless Infrastructure Association (PCIA)
- Telecommunications Industry Association (TIA)
- United Telecom Council (UTC)

LMCC appreciates the Commission’s proposal to restrict unlicensed devices on relevant television channels in certain markets where they are used for land mobile radio services; however, several concerns lead LMCC to continue to strongly oppose the operation of unlicensed devices on television channels 14-20 at this time.

The opportunity for unlicensed device operators to physically relocate into a “restricted” land mobile market may cause harmful interference to mission critical applications, including public safety entities. Indeed, the unauthorized after-market manipulation of a radio may also cause harmful interference in markets where land mobile communications are present.

LMCC believes that the interference mitigation technologies proposed by the Commission to avoid operation in specific markets, such as sensing technologies and cognitive radios remain largely untested and therefore, should not be implemented and tested on land mobile channels that are used to promote the safety of life and property. Additionally, by the very nature of push-to-talk operations, land mobile signals are

present only when communications are in progress, making it difficult or impossible for the unlicensed device to know that a channel is in use in a given area. Complicating the matter further, within one television channel there are 240 discrete 12.5 kHz base station transmit frequencies and 240 mobile transmit frequencies. Each of these 480 channels would have to be monitored continuously to assure that the unlicensed devices would not cause interference to communications that are in progress.

Land mobile users would need unfettered access to geo-location and spectrum-specific information pertaining to unlicensed devices or system deployment to begin addressing interference should it occur. At this time, the LMCC remains unconvinced that the Commission or industry could provide real-time information on the location of each unlicensed device in operation throughout the nation. Furthermore, device or system operators must then be obligated to cease operations interfering with land mobile communications until such time as the interfering system has been successfully altered to avoid harmful interference. The LMCC also remains unconvinced that consumers of unlicensed devices would (1) be sufficiently cognizant of the Commission's rules governing the device; (2) be aware of the degradation that the device is causing; or (3) take corrective actions when necessary.

Simply stated, sound spectrum policy should restrict the use of unlicensed devices on channels 14-20 nationwide and LMCC cannot support the Commission's proposal.

Respectfully submitted,

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By: /s/ Jim Pakla  
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